

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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MIKE ELDRIGE,

Petitioner,

-against-

**PEOPLE OF THE STATE OF NEW YORK;
SUPERINTENDENT OF ELMIRA
CORRECTIONAL FACILITY**

Respondent.

19-CV-7763 (ALC)(SLC)

**ORDER ADOPTING
REPORT AND
RECOMMENDATION**

ANDREW L. CARTER, JR., District Judge:

On August 16, 2019, Petitioner Mike Eldridge filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, following his 2011 conviction for second degree attempted robbery after a guilty plea in New York State Supreme Court. ECF No. 1. This matter was then referred to United States Magistrate Judge Sarah L. Cave on September 22, 2020. ECF No. 12. The Court now considers the Report and Recommendation issued by Magistrate Judge Cave on February 25, 2022 dismissing Petitioner’s claims. ECF No. 15.

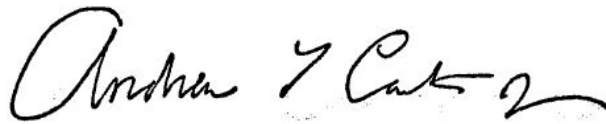
Despite notification of the right to object to the Report and Recommendation, Petitioner has filed no objections. Where no timely objections are made, the Court may adopt the Report and Recommendation as long as there is no clear error on the face of the record. *Sacks v. Gandhi Eng’g, Inc.*, 999 F. Supp. 2d 629, 632 (S.D.N.Y. 2014) (citing *Wilds v. United Parcel Serv.*, 262 F.Supp.2d 163, 169 (S.D.N.Y. 2003)). In light of the lack of any objections to the Report and Recommendation and the fact that Court finds no clear error in the record, the Court adopts the Report and Recommendation in its entirety.

For the reasons stated in the Report and Recommendation at ECF No. 15, the Court denies the petition for a writ of habeas corpus and dismisses this action.

The Clerk of Court is respectfully directed to enter judgment and close the case. The Clerk of Court is also directed to mail a copy of this order to the Petitioner.

SO ORDERED.

Dated: New York, New York
February 1, 2023

A handwritten signature in black ink, appearing to read "Andrew L. Carter, Jr.", written in a cursive style.

ANDREW L. CARTER, JR.
United States District Judge